

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
Northern Division

UNITED STATES OF AMERICA,

Plaintiff,

- against -

Civil No.

ONE 2009 HONDA ACCORD
VIN # 1HGCP36809A021589 and
ONE 2003 HUMMER SUV
VIN # 5GRGN23U83H120255

Defendant.

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VERIFIED COMPLAINT FOR FORFEITURE

Plaintiff, United States of America, by its attorneys, Rod Rosenstein, United States Attorney for the District of Maryland, and Stefan D. Cassella, Assistant United States Attorney, brings this complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

NATURE OF THE ACTION

1. This is a civil forfeiture action against two vehicles involved in violations of the Controlled Substances Act that is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(4).

THE DEFENDANTS IN REM

2. The defendant property consists of one 2009 Honda Accord, VIN number 1HGCP36809A021589 registered in Virginia and one 2003 Hummer SUV, VIN number

5GRGN23U83H120255 registered in Maryland to Central Steel Supply Inc¹. (collectively, the “Defendant Property”).

3. The Defendant Honda was seized on March 31, 2010 from 11520 Southern Maryland Blvd, Dunkirk, Maryland.

4. The Defendant Hummer was seized on April 29, 2010 from 12120 Dunleigh Court, Dunkirk, Maryland.

JURISDICTION AND VENUE

5. Plaintiff brings this action *in rem* in its own right to forfeit and condemn the Defendant Property. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, over an action for forfeiture under 28 U.S.C. § 1355(a), and over this particular action under 21 U.S.C. § 881(a)(4).

6. This Court has *in rem* jurisdiction over the Defendant Property under 28 U.S.C. § 1355(b).

7. Venue is proper in this district pursuant to 28 U.S.C. §1355(b)(1), because the acts or omissions giving rise to the forfeiture occurred in this district and pursuant to 28 U.S.C. § 1395 because the property is located in this district.

BASIS FOR FORFEITURE

8. The Defendant Property is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(4) as vehicles used, or intended to be used, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances.

¹Central Steel Supply Inc.’s finances are controlled by Grace Marie Bellosi Mitchell who resides at 12120 Dunleigh Court, Dunkirk, Maryland .

FACTS

9. On March 31, 2010, officers of the Calvert County Sheriff's Department executed a search warrant at 11520 Southern Maryland Blvd, Dunkirk, Maryland.

10. Upon searching the Defendant Honda, which was covered under the scope of the search and seizure warrant, the following was found in the trunk:

- i. \$4,000 in United States Currency
- ii. (27) LIDODERM LIDOCAINE PATCHES 5%
- iii. (1) FENTANYL PATCH 75 MG
- iv. (27) MYLAN FENTANYL PATHCES 100 MG
- v. (50) TEN PACKS OF FIVE FLECTOR PATCHES
- vi. (12) PROPO-N/APAP 100-650 TABS (generic for Darvocet)
- vii. (84) ADDERALL 30 MG
- viii. ONE BOTTLE CONTAINING (1) TENUATEDOSPAN 75 MG; (1) UNKNOWN BLUE PILL; (3) MERIDIA 15 MG; (63) PINK ADDERALL; and (11) ORANGE ADDERALL
- ix. (107) ENDOCET 10/325 MG
- x. (50) SEROQUEL 25 MG
- xi. ONE BOTTLE CONTAINING (51) DIETHYLPROPION 75 MG and (5) MERIDIA 15 MG
- xii. ONE BOTTLE CONTAINING (8) VICODIN; (1) ADDERALL; and (2) TEETH
- xiii. (247) SEROQUEL 100 MG
- xiv. (77) METHADONE 10 MG
- xv. (179) OXYCODONE 30 MG
- xvi. (26) HYRDOCO/APAP 10-500 MG
- xvii. (121) HYDROCODONE 10-500 MG
- xviii. (85) METHODONE 10 MG
- xix. (110) METHODONE 10 MG
- xx. (120) ADDERALL 30 MG
- xxi. (90) ADDERALL 30 MG
- xxii. (180) HYDROCODONE 10 MG

- xxiii. (88) ADDERALL 30 MG
- xxiv. (9) VIAGRA 100 MG
- xxv. (160) METHADONE 10 MG

11. During the search of the residence located at 11520 Southern Maryland Blvd, the following was found in a safe located in the master bedroom:

- i. (61) MYLAN FENTANYL PATCHES 100 MG
- ii. (13) SANDOZ FENTANYL PATCHES 75 MG
- iii. (3) WATSON FENTANYL PATCHES 75 MG
- iv. (21) WATSON FENTANYL PATCHES 100 MG
- v. (22) LIDODERM LIDOCAINE PATCHES 5%
- vi. PLASTIC BAG CONTAINING (20) SUBOXONE 8 MG
- vii. (2) BOTTLES LIQUID HYDROCODONE 1 OZ.
- viii. (120) OXYCONTIN 80 MG
- ix. (93) OXYCONTIN 60 MG
- x. (106) RISPERIDONE .25 MG
- xi. 45 OXYCODONE 30 MG
- xii. ONE BOTTLE CONTAINING (27) MYLAN A and (25) MYLAN A4
- xiii. (180) ADDERALL 30 MG
- xiv. (60) HYDROXYZ PAM 50 MG
- xv. (81) OXYCODONE 10 MG
- xvi. (137) METHADONE 10 MG
- xvii. ONE BOTTLE CONTAINING (88) ADDERALL (PINK) and (43) ADDERALL 20 MG (ORANGE)
- xviii. (3) BOTTLES OF CYANOCOBALAMIN 1000 MCG

12. During the search of 11520 Southern Maryland Blvd, a safe was found in a shed. Officers were unable to open the safe while at the property and thus transported the safe to another location to be opened.

13. Inside the safe, the following items were found:

- i. \$3,885.00 in United States Currency
- ii. 13 grams of Marijuana
- iii. 1.10 plastic bags containing 114 grams of Cocaine.

14. On March 31, 2010 officers of the Calvert County Sheriff's Department executed a search warrant at 12120 Dunleigh Court, Dunkirk, Maryland.

15. During the search of 12120 Dunliegh Court, Dunkirk, Maryland the following was found in a large safe in the master bathroom:

- i. ONE EMPTY BOTTLE OF OXYCODONE
- ii. One bottle containing (1) HYDROCODONE 10MG; (1) ADDERALL 10MG; (2) PROMETHAZINE; (2) IBUPROPEN; and (1) CHX 1.0
- iii. (145) OXYCONTIN 80MG
- iv. (118) METHADONE 10MG
- v. PLASTIC BAGGIE CONTAINING (25) PERCOCET5MG
- vi. (74) HYDROCODONE 10MG
- vii. ONE EMPTY BOTTLE PHENTERMINE
- viii. ONE EMPTY BOTTLE HYDROCODONE
- ix. (86) HYDROCODONE 10MG
- x. ONE PLASTIC BAGGIE CONTAINING 6 GRAMS MARIJUANA
- xi. ONE PELOUZE DIGITAL SCALE

16. Also found were the following written prescriptions:

- i. (90) OXYCONTIN 80 MG to James Bellosi, March 23, 2010
- ii. (180) OXYCODONE 30 MG to James Bellosi, March 23, 2010
- iii. (120) OXYCODONE 30 MG to Yvonne Bellosi, March 23, 2010
- iv. (360) OXYCODONE 30 MG to James Bellosi, March 26, 2010

17. Additionally, \$2,113.00 in United States Currency was found in a small safe in the master bathroom and five (5) grams of marijuana was found in the basement bedroom.

18. On April 29, 2010, the Defendant Hummer was seized pursuant to a state issued seizure warrant based upon what was found during the March 31, 2010 search of 11520 Southern Maryland Blvd, Dunkirk, Maryland and 12120 Dunliegh Court, Dunkirk, Maryland.

19. During the inventory search of the Defendant Hummer, the following scripts were found in a baby diaper located in the driver side door pouch:

- i. PERCOCET 10/325 to Enrick Bellosi, March 28, 2010
- ii. FENTANYL 100MCG to Yvonne Bellosi, March 28, 2010 (script written to receive two boxes- 10 patches each box)
- iii. OXYCONTIN 60 MG to Enrick Bellosi, March 28, 2010
- iv. ADDERALL 30 MG to Todd Waters, March 29, 2010
- v. OXYCONTIN 60 MG to Todd Waters, March 29, 2010

20. A source of information revealed that Grace Bellosi Mitchell sometimes delivers cocaine, methamphetamine, and prescription drugs to her customers.

21. This quantity of narcotics found in the trunk of the Defendant Honda, the residence at 11520 Southern Maryland Blvd, and the residence at 12120 Dunliegh Court, Dunkirk, Maryland is more than any doctor would medically prescribe within the normal course of medical practice.

22. Moreover, the prescription drugs found are ones which are widely abused and commonly sold for large profits.

23. Therefore, the amount of pills recovered and the written scripts found, along with large amounts of cash indicate possession with an intent to distribute.

WHEREFORE, plaintiff, the United States of America, prays that all persons who reasonably appear to be potential claimants with interests in the Defendant Property be cited to appear herein and answer the Complaint; that the Defendant Property be forfeited and condemned

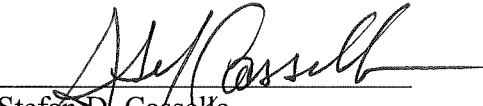
to the United States of America; that upon Final Decree of Forfeiture, the United States Marshal dispose of the Defendant Property according to law; and that the plaintiff have such other and further relief as this Court deems proper and just.

Dated: July 28, 2010.

Respectfully submitted,

Rod J. Rosenstein
UNITED STATES ATTORNEY
District of Maryland

By:

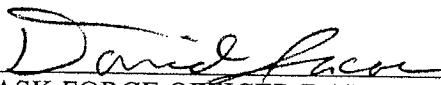

Stefan D. Cassella
Assistant U.S. Attorney
36 South Charles Street
Fourth Floor
Baltimore, MD 21201
410 209-4986

VERIFICATION OF COMPLAINT FOR FORFEITURE

I, David Jacobs, Task Force Agent of the Drug Enforcement Administration have read the Complaint for Forfeiture in this action and state that its contents are true and correct to the best of my knowledge and belief.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

This 26 day of July, 2010.


TASK FORCE OFFICER DAVID JACOBS
DRUG ENFORCEMENT ADMINISTRATION

DATE: July 28, 2010
TO: Kristine Cupp USMS
FROM: Alan J. Pfeiffenberger
Data Analyst
RE: U.S. v. ONE 2009 HONDA ACCORD,VIN 1HGCP36809A021589 and ONE 2003
HUMMER SUV,VIN 5GRGN23U83H120255
Civil Action No. _____

CATS ID:

The United States has filed a forfeiture action against **ONE 2009 HONDA ACCORD,VIN 1HGCP36809A021589 and ONE 2003 HUMMER SUV,VIN 5GRGN23U83H120255**. A copy of the Complaint for Forfeiture is attached.

Notice of this seizure will be published at www.forfeiture.gov pursuant to Rule G of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims.

Thank you.

Attachment

U.S. Department of Justice
United States Marshals Service

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PROCESS RECEIPT AND RETURN

PLAINTIFF UNITED STATES OF AMERICA		COURT CASE NUMBER
DEFENDANT ONE 2009 HONDA ACCORD,VIN 1HGCP36809A021589 and ONE 2003 HUMMER SUV,VIN 5GRGN23U83H120255		TYPE OF PROCESS Verified Complaint in Rem
SERVE ↓ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN	
	ADDRESS (Street or RFD, Apartment No., City, State, and ZIP Code)	

SEND NOTICE OF SERVICE TO REQUESTER AT NAME AND ADDRESS BELOW:	Number of process to be served with this Form - 285	
----- Alan Pfeifferberger, Data Analyst U.S. Attorney's Office 36 S. Charles Street, 4th floor Baltimore, Maryland 21201	Number of parties to be served in this case	
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, All Telephone Numbers, and Estimated Times Available For Service)

Arrest property. Fill in the date of arrest in this process receipt and return our copy.

Signature of Attorney or other Originator requesting service on behalf of : Alan J. Pfeifferberger /s/	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 410-209-4800	DATE 7/28/10
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process No. _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk _____	Date _____
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below).

Name and title of individual served (If not shown above).				<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.		
Address (complete only if different than shown above)				Date of Service	Time am pm	
				Signature of U.S. Marshal or Deputy		
Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount Owed to US Marshal or	Amount or Refund

REMARKS: